

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

JOHN J. SCACCIA, : Case No. 3:21-cv-29
Plaintiff,
vs. : District Judge Michael J. Newman
LYFT, INC., : Magistrate Judge Peter B. Silvain, Jr.
Defendant.

ORDER

This matter is before the Court on *pro se* Plaintiff's Motion to Allow Plaintiff Access for Electronic Filing of Motions, Memoranda and Other Papers in this Case ("Motion"). (Doc. #9). Defendant has not filed a responsive memorandum to Plaintiff's Motion and the time to do so has since expired. *See* S.D. Ohio Civ. R. 7.2(a)(2). Accordingly, Plaintiff's Motion is ripe for review.

In his Motion, Plaintiff requests that the Court grant him access to the CM/ECF electronic filing system, asserting that he has prior experience with the system and that allowing him this access will “facilitate efficiencies and thereby serve judicial economy without risk.” (Doc. #9, *PageID* #113).

S.D. Ohio Civ. R. 1.1(e) provides that the electronic filing in this District is governed by the Local Rules and the Electronic Filing Policies and Procedures Manual (“ECF Manual”).¹ The ECF Manual, in turn, states that while “[p]arties proceeding *pro se* are not permitted to file electronically[,”] a non-incarcerated *pro se* party may seek leave of Court to file electronically

¹ A current version of the ECF Manual can be found on the Court's website at:
<https://www.ohsd.uscourts.gov/sites/ohsd/files//CM-ECF%20Procedures%20Guide%20July%202019.pdf>.

following the party's first appearance. *See* ECF Manual R. 1.1, 1.2. In making this request, the *pro se* party "must first demonstrate to the Court that he/she meets all the technical requirements necessary to access and utilize the CM/ECF system." ECF Manual R. 1.2.

While Plaintiff states that he has past experience with the Court's electronic filing system, he has not demonstrated to the Court that he *currently* meets the necessary technical requirements. Accordingly, Plaintiff's Motion (Doc. #9) is **DENIED** without prejudice to renewal. Should Plaintiff believe that he meets the necessary requirements after reviewing the applicable Local Rules and the ECF Manual, he is entitled to refile his request making such a demonstration.²

IT IS SO ORDERED.

January 6, 2022

s/Peter B. Silvain, Jr.

Peter B. Silvain, Jr.
United States Magistrate Judge

² A sample form detailing the necessary requirements is available on the CM/ECF Information page on the Court's website at:
<https://www.ohsd.uscourts.gov/sites/ohsd/files//Motion%20to%20be%20allowed%20to%20file%20documents%20electronically%20%28pro%20se%29.pdf>.